

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
) NO. 3:07-CR-44
v.)
) Judges Phillips/Shirley
LUIS ERASMO ROSALES RAMIREZ,)
ALFRED ALLEN ARREOLA,)
LUKE A. MCLAUGHLIN,)
MATTHEW DAVID SUGAMELI,)
DANIEL RAMSEY,)
DEBORAH NOMMENSON,)
DARRELL WAYNE LUCK, and)
SCOTT EDWARD WILLYARD,)
also known as ROCKY)

PROTECTIVE ORDER

This matter having come before the Court upon the Motion of the United States of America for the entry of a protective order pursuant to Title 21, United States Code, Section 853(e)(1)(A), as incorporated by Title 18, United States Code, Section 982(b), and it appearing to the satisfaction of this Court:

1. That on July 18, 2007, a federal grand jury of this District returned a two-count Superseding Indictment charging the above-named defendants with violations of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 1956(h), and alleging that the properties named in this Order

would, in the event of conviction, be subject to forfeiture pursuant to Title 21, United States Code, Section 853 and Title 18, United States Code, Section 982.

2. That the United States has moved, ex parte, for a Protective Order pursuant to Title 21, United States Code, Section 853(e)(1)(A), as incorporated by Title 18, United States Code, Section 982(b), so as to preserve the status quo and prevent the defendant, DARRELL WAYNE LUCK, from alienating, encumbering, or wasting said forfeitable properties; and

3. That based upon the Superseding Indictment and the Supporting Motion submitted by the United States, cause has been shown for the entry of a protective order to preserve the properties named in Attachment A to this Order.

It is, therefore, the ORDER of this Court that this Protective Order issue as to the properties described in Attachment A hereto, incorporated herein by this reference, to wit:

The defendant, DARRELL WAYNE LUCK, his agents, servants, employees, attorneys, family members, those persons having any interest or control over the properties described in Attachment A or any corporate entity claiming an ownership interest in the properties described in Attachment A, and those in active concert or participation with these defendants, shall not, without approval of this Court upon notice to the United States and an opportunity for the United States to be heard:

- a) alienate, dissipate, transfer, sell, assign, lease, pledge, encumber, or dispose of, in any manner, directly or indirectly;
- b) cause to be alienated, dissipated, transferred, sold, assigned, leased, pledged, encumbered, or disposed of in any manner; or

Protective Order (Putnam County properties)

*United States v. Luis Erasmo Rosales Ramirez, et al.; Case No. 3:07-CR-44
(Phillips/Shirley)*

- c) take, or cause to be taken, any action which could have the effect of concealing or moving from the jurisdiction of this Court, or that would have the effect of depreciating, damaging or in any way diminishing the value of any properties named in Attachment A to this Order.

It is further ORDERED that if any of the properties described in Attachment A has been or is transferred or disposed of by any means, the defendant, DARRELL WAYNE LUCK, shall account to the Court for the disposition of the properties.

It is further ORDERED that defendant, DARRELL WAYNE LUCK shall be served with a copy of this Order upon his arrest.

It is further ORDERED that the Clerk of this Court provide the United States Attorney's Office with a certified copy of this Order to record in the county records where the identified real property is located as soon as practical.

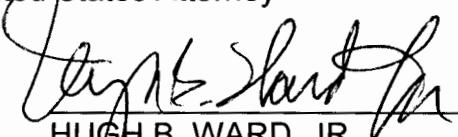
This order shall remain in effect until further Order of the Court or until the Court modifies the Order as appears necessary in the interest of justice and consistent with the purposes of Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 982(b).

ENTER:


THOMAS W. PHILLIPS
UNITED STATES DISTRICT JUDGE

Submitted for Entry:

JAMES R. DEDRICK
United States Attorney

By: 
HUGH B. WARD, JR.
Assistant United States Attorney

Protective Order (Putnam County properties)
United States v. Luis Erasmo Rosales Ramirez, et al.; Case No. 3:07-CR-44
(Phillips/Shirley)

ATTACHMENT "A"

1. Real property located at **37 North Cedar Avenue, Cookeville, Tennessee** in District One (1) of Putnam County, Tennessee, and being more particularly described as follows:

Commencing at the intersection of the south line of First Street and the east line of Cedar Street, thence south along the east line of Cedar Street approximately 71'7" to a point in the sidewalk parallel to the center line of an existing wall being the north wall of the old Ava Hall building, said point being the Point of Beginning; thence continuing south along Cedar Street approximately 28'6" to a point of intersection with the north line of property owned by Buddy and Jenny Gaw; thence running east along said north line of the Gaw property approximately 125' to the point of intersection with the west line of the Carlen Bennett tract; thence north along said west line of the Carlen Bennett tract approximately 28'6"; thence west through the center line of a wall being the north wall of the old Ava Hall building, approximately 125' to the point of beginning.

Subject to an Easement Lease of record in Lease Book 23, Page 29, Register's Office of Putnam County, Tennessee.

Recorded in Warranty Deed registered on December 12, 2003, in Record Book 114, Page 379, in the Register of Deeds Office for Putnam County, Tennessee, titled to Darrell W. Luck and wife, Lisa K. Luck.

2. Real property located at **11381 Indian Creek Road, Baxter, Tennessee** in District Seventeen (17) of Putnam County, Tennessee, and being more particularly described as follows:

Beginning at a fence post in the northern right-of-way of Indian Creek Road; thence North 44 degrees 42 minutes West 259 feet, North 50 degrees 38 minutes West 156 feet, North 83 degrees 37 minutes West 415 feet, North 79 degrees 17 minutes West 220 feet to a triple dogwood in a fence corner; thence North 8 degrees 15 minutes 33 seconds east 647.5 feet to a stake at an elm stump; thence North 87 degrees 48 minutes West 125 feet to a 12 inch poplar; thence North 10 degrees 45 minutes West 45 feet, North 22 degrees 59 minutes East 203 feet, North 72 degrees 4 minutes East 155 feet, North 62 degrees 37 minutes East 330 feet to a stake at a gatepost, South 39 degrees 39 minutes East 189 feet, South 36 degrees 17 minutes East 282 feet, South 24 degrees 59

minutes East 151 feet to a stake; thence North 67 degrees 59 minutes East 70 feet North 62 degrees 05 minutes East 89 feet to an elm in a fence, marked and painted; thence South 71 degrees 37 minutes East 370 feet to a stake at large spring; thence North 81 degrees 54 minutes East 272 feet, North 78 degrees 48 minutes East 212 feet; North 77 degrees 48 minutes East 481 feet to a stake in a 3 foot beech in hollow, marked and painted; thence South 00 degrees 57 minutes East 221 feet, South 7 degrees 15 minutes East 79 feet to a stake in hollow at right-of-way of Indian Creek Road; thence with Indian Creek Road the following calls: South 61 degrees 48 minutes West 305 feet, South 70 degrees 24 minutes West 141 feet, South 63 degrees 19 minutes West 121 feet, South 80 degrees 22 minutes West 213 feet, South 69 degrees 20 minutes West 134 feet, South 52 degrees 31 minutes West 88 feet, South 24 degrees 34 minutes West 168 feet, South 61 degrees 39 minutes West 142 feet, South 70 degrees 28 minutes West 186 feet to a point; thence with the Indian Creek Road South 58 degrees 05 minutes West 162 feet to the point of beginning. Containing 38.0694 acres more or less all in accordance with the survey of Wiggins Land Surveying and Drafting Company, Gainesboro, Tennessee, dated August 2, 1985.

Recorded in Warranty Deed of Correction registered on May 15, 2002, in Warranty Deed Book 440, Page 651, in the Register of Deeds Office for Putnam County, Tennessee, titled to Lisa Kaller and Darrell Luck.

3. Real property located at **234 Garrett Avenue, Cookeville, Tennessee** in District One (1) of Putnam County, Tennessee, and being more particularly described as follows:

Beginning at a stake in the South edge of Garrett Avenue at a point 62.55 feet Westwardly or southwestwardly from a concrete monument at the beginning of a curve going into West End Street; and running thence with lands retained by the grantors: South 19 degrees 27' East 83.00 feet to a stake; thence continuing with lands retained by the grantor 74 degrees 27' East 62.18 feet to a concrete monument; then South 84 degrees 24' East 100.05 feet to an iron stake in the West or southwest edge of West End Street; thence running Northwestwardly with the Southwest edge of said West End Street 105.02 feet to a concrete monument at the curve going into Garrett Avenue, running thence with said curve 36.50 feet to a concrete monument, running thence with the South edge of Garrett Avenue 62.55 feet to the point of beginning.

Protective Order (Putnam County properties)

United States v. Luis Erasmo Rosales Ramirez, et al.; Case No. 3:07-CR-44
(Phillips/Shirley)

Recorded in Warranty Deed registered on March 14, 2003, in Record Book 35, Page 454, in the Register of Deeds Office for Putnam County, Tennessee, titled to Lisa K. Luck and Darrell Luck.

4. Real property located at **5055 Hancock Road, Silver Point, Tennessee**, and being more particularly described as follows:

Beginning at a persimmon stump in the west right-of-way of Hancock Road, said point being the southeast corner of Carr (Book 321, Page 533, Register's Office for Putnam County, Tennessee) and the northeast corner of the property described herein; thence running with the said right-of-way for six (6) calls as follows:

South 8 degrees 55 minutes 12 seconds West 45.63 feet; thence South 10 degrees 31 minutes 05 seconds West 164.50 feet; thence South 02 degrees 34 minutes 02 seconds West 43.95 feet; thence South 02 degrees 11 minutes 56 seconds East 26.69 feet; thence South 11 degrees 41 minutes 07 seconds West 48.37 feet; thence South 31 degrees 11 minutes 19 seconds East 54.79 feet; thence South 42 degrees 35 minutes 08 seconds East 129.98 feet to a wood fence post in said right-of-way, said point being a new corner with the lands retained by Anna Faye Haller a/k/a Anna Faye Beckers and the southeast corner of the property herein described; thence creating a new severance line with the lands retained by said Haller/Beckers for two (2) calls as follows: North 88 degrees 25 minutes 09 seconds West 588.46 feet; thence North 21 degrees 29 minutes 40 seconds East 761.66 feet to an angle iron found in the center of a hollow, said point being a common corner to the lands of Carr (Book 321, Page 533, said Register's Office); then lands retained by Haller/Becker and the northwest corner of the property herein described; thence running with the south line of Carr for three (3) calls as follows: South 30 degrees 48 minutes 30 seconds East 60.71 feet to a wood fence post; thence South 42 degrees 09 minutes 47 seconds East 159.92 feet to a 6 inch locust; thence South 43 degrees 53 minutes 30 seconds East 119.93 feet to the point of beginning and containing 5.142 acres, more or less as surveyed by Phillip M. Staton, R.L.S. # 1636, Clinton Engineering, 198 South Lowe Avenue, Suite 11, Cookeville, TN on November 8, 1994.

Recorded in Warranty Deed registered in Record Book 198, Page 741, in the Register of Deeds Office for Putnam County, Tennessee, titled to Darrell Luck and wife, Lisa Luck.